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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MINEO SHIMOTSUSA

Application No.: 10/067,904

Filed: February 8, 2002

For: SEMICONDUCTOR DEVICE,
METHOD OF MANUFACTURING:
THE SAME AND LIQUID JET
APPARATUS

Examiner: Victor A. Mandala

Group Art Unit: 2826

May 5, 2003 (Monday)

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Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Office Action dated April 3, 2003 (Paper No. 8), which required election between allegedly distinct species, Applicant provisionally elects Species I, Figures 1A-B, 2-4, 5A-E, 6A-B & 7A-B, with traverse. Claims 1 to 7, 11, 15 to 23, 27 and 31 to 38 read on the elected species.

The Office Action states that currently no claims are generic. Applicant respectfully disagrees. At least independent Claims 1 and 17 are believed to be generic, since each of these claims includes no material element additional to those recited in the species claims and comprehends within its confines the organization covered in each of the

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Diamond E. Vadnais, Reg. No. 52,310

Name of Attorney for Applicant
Signature Date of Signature
May 5, 2003

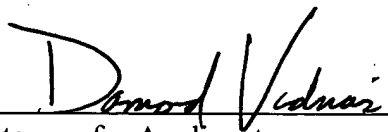
species. See MPEP § 806.04(d). Accordingly, if either of Claims 1 or 17 is found to be allowable, prosecution on the merits for Species II to VII is respectfully requested.

Traversal is on the grounds that there are not so many species alleged by the Examiner to warrant an election. In particular, it is Applicant's right to present claims to a "reasonable" number of species, as "reasonable" is used in 37 C.F.R. § 1.141(a). Here, the seven species identified by the Examiner are believed to fall within the realm of "reasonable" in light of the otherwise common features of the species.

Accordingly, reconsideration and withdrawal of the requirement for election are respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant

Registration No. 52,310

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